

DOCUMENT RESUME

ED 071 408

EM 010 648

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TITLE Oral Argument in Children's Television Proceeding.
INSTITUTION Council on Children, Media, and Merchandising,
Washington, D.C.
PUB DATE 9 Jan 73
NOTE 26p.; Speech presented to the Federal Communications
Commission (Washington, D. C., January 9, 1973)
EDRS PRICE MF-\$0.65 HC-\$3.29
DESCRIPTORS Broadcast Industry; Childhood Attitudes; *Child
Psychology; *Children; Ethical Values; Federal
Government; *Federal Legislation; Marketing; Mass
Media; *Media Research; Publicize; Public Relations;
*Television Commercials; Television Research;
Television Viewing

ABSTRACT

The author advocates the outright ban of commercials from Saturday and Sunday morning television and makes several other recommendations that he believes would improve programing and reduce the hard sell of child targeted advertising. The Federal Communications Commission (FCC) could form a Children's Television Broadcast Center and establish a Children's Television Code which would set up minimum standards for all commercial programs. The author states that his recommendations are a last resort, spurred by the abdication of responsibility of the task by the National Association of Broadcasters (NAB). The NAB was asked by the FCC to develop such a code nearly two years ago. The recommendations are that the FCC with the assistance of the Justice Department where appropriate, should stimulate television research, ban hazardous substances, define station responsibilities, correct FCC and parental ignorance of broadcast patterns, define policies on Public Service Announcements, and facilitate on advertiser/consumer education program. (MC)

ED 071408

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Statement of

ROBERT B. CHOATE

Chairman

COUNCIL ON CHILDREN, MEDIA AND MERCHANDISING

Before the

Federal Communications Commission

January 9, 1973

EM 010648

1346 Connecticut Avenue, N.W.
Washington, D.C. 20036

TESTIMONY OF ROBERT B. CHOATE - ORAL ARGUMENT IN

CHILDREN'S TELEVISION PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION - JANUARY 9, 1973

We are now in the 35th month of deliberations by the Federal Communications Commission in the matter of Children's Television Proceedings. The petition submitted by Action For Children's Television (ACT) which precipitated still another round of debate over the rights and needs of children vis a vis the airwaves has ended up swamped in a morass of opinions weakly supported by hazy facts.

Several Commissioners have already indicated that they are not inclined to ban commercials from Saturday and Sunday morning television even though a large segment of those under 12 watch many of the programs.

The Act petition has revealed the commercial lenses through which broadcasters regard children. The public has not yet been told this story; the stations themselves have done little to add factual opinion to a very emotional public debate.

Today I will draw to the Commission's attention other related opportunities, short of an outright commercial ban, which could improve programs while diminishing the hardsell of a child-oriented television ad. There are a number of things which this commission can do which will meet the sense, if not the substance, of the ACT

petition. It is time that the Federal Communications Commission make some decisions; they can be made within 60 days.

I will offer two large scale reforms; I will then suggest seven commercial corrections. Were these to be enacted, together with some of the other suggestions made in these hearings, both the broadcasters of this nation and the FCC could be said to have dealt more fairly with children under 12. Let me address the two broader reforms before I move to the specifics.

F.C.C. AND DEPARTMENT OF JUSTICE

In a truly competitive situation, quality usually suffers. The logger who strips the forest can usually undersell the forester who cuts selectively. The manufacturer of heavily advertised fragile junk toys can win, in the beginning, a large share of the market from the producer of quality goods with a lower promotion budget. So it is with broadcasting. The young public has become accustomed to low grade programming. Children will continue to turn the knob to the least challenging material, while responsible broadcasters tear their hair out over a program that deserves a bigger audience.

There is something in all of us that continually seeks a lower and lower denominator. Today, while competitive networks and syndicated independents note the excellence of a rival's program, it may well pay them to maintain their present programming, rather than go to the expense of countering with a first rate production. Thus the broadcaster who has opted for excellence may watch his

audience desert him for drivel, and his per viewer costs mount out of sight. The rivals win sponsors and viewers away from the competitor's quality. This will continue while low grade programs compete with quality shows for a child's mind.

In a situation such as this, it is the responsibility of those in government to help create a corrective process.

If the FCC wishes to change today's television for children it can start by creating two corrective processes: a Children's Television Broadcast Center and a Children's Television Code Board. 1

The former would be designed as a quasi-public corporation, with a mixed public/private board of directors.* It would be funded by a mandatory tithe on all national sponsors who advertise on regular commercial shows where the under twelve audience exceeds one million. The tithe would be scaled to the audience size. The corporation would finance and make available at nominal fee quality programs for broadcast on any network, any chain or any station. Unions would be asked to invest in the corporation on a basis of a percentage of the guild fees and residuals incurred in both programming and advertising to children. The Telephone Company would be asked for a percentage of its longline charges. Credits to the Center's backers would be institutional credits, and could accompany the program. As a public service, twice each night in prime time, the broadcaster would air institutional mention of the backers who had financed the improved programs for children. He would mention the names of the

* Not made up as Ruth Handler suggested in her October 4, 1972 FCC appearance.

programs, their age focus and their time of airing, and he would invite parents to join their children in watching the show. Advertising of ordinary products would be limited to four advertisements per hour during the hours when the Center's programs were on the air. With FCC direction, various Center programs could be run simultaneously on competing stations. Thus, quality would start to compete with quality, and the lower grade programs would be left to compete with each other. I would suggest that this format should start with one hundred hours of Center programming the first year, and build from there.

The cooperative nature of this effort, together with the planned simultaneous air schedule, will require certain waivers from antitrust proceedings by the Department of Justice. There are precedents for this cooperative action; the Department of Agriculture and the Department of Commerce are familiar with the leadership required by governmental agencies when minimum standards or quality standards are established. Inasmuch as the "message" of these programs would remain in private hands, the potential of political messages would be minimal.

A Children's Television Code Board would also require some involvement of the FCC with the Department of Justice. No self-regulation code can have real teeth today unless the FTC and the Department of Justice condone it. A Children's Television Code should be able to set minimum standards for all commercial programs as well as for commercials themselves. Violation of the Code should be met with continuously aired disclaimers that the program or the commercial has not met the Code Board's standards. I fear that nothing short of this will work. The National Association of Broadcasters Code Authority today is an industry front. The

new National Advertising Review Board is a farce. Leaving self-regulation exclusively, or almost exclusively, in the hands of those who broadcast or advertise is, as Paul Stevens has described it, "kind of like leaving the goat to mind the garbage."^{1/} (I speak from experience. I approached the NAB Code Authority 20 months ago to establish a Code for Advertising Edibles to Children. They gave me a formal hearing and took it under advisement. They still have not acted.)

The Commission must realize that it is moves of this magnitude which can improve the giant called children's television. The average child is watching over 1,000 hours of television per year; it is a controversial force in a child's development.^{2/}

It is also quite fitting and proper that the FCC initiate actions of this magnitude. You have given the broadcasters two years to improve children's television, Mr. Chairman. They have let you down. They have indicated they cannot do it alone. They need your help. You need not fear you are trammeling with the private enterprise system in some unethical way. The private enterprise system can be compared to a superb automobile engine. When you build the engine bigger and stronger, the brakes and clutch have to be tougher too. Raw power in automobiles, and in the private enterprise system is frequently self-defeating. The philosophers in the upper echelons of American business realize the benefits brought to them by governmental oversight. The Ward Quaals of this world are either naive, or are kidding you.

1. I Can Sell You Anything, by Paul Stevens. Peter H. Wyden, 1972, page 149.

2. About Television, by Martin Mayer. Harper & Son, 1972, Chapter 6.

Thirty million children cannot await the second 25 years of Mr. Quaal's television tree growth.^{1/}

You can make the private enterprise broadcast system work; you can help build the profits of those who perform honorably and you can help protect the profits of those who experiment with improvements. This is a proper role for an FCC. And today the broadcaster needs you to act, not postpone decisions, for the pressures on him are building daily.

F.C.C. AND ADVERTISING

Now for areas of FCC specific interest.

Much has been said about whether advertising is proper for young children. Some feel that the tough, hard sell of the private enterprise system should not intrude on the minds of children under twelve. Some say advertising is educative. Some say it is misleading. Some say it is the only thing that keeps the programs on the air. Some say children are being warped by television. All of this is part truth, part lie. The trouble is that no one really knows.

I have conducted an extensive search for those who really can tell us what advertising does to children's behavior, attitudes, cultural traits and family tensions. I have been referred to numerous experts and to many books and reports. Commissioners, while television the entertainment medium has been studied from a hundred perspectives, television the carrier of commercials has been studied scantily, badly and erratically. A few studies have

1. See testimony of Warren Quaal, October 4, 1972, before the FCC.

been made to support industry theses. Very few studies have been made to judge children's credibility. Now in television's 27th year, we find the moderate TV watching child views over 25,000 commercials each year. The federal government and the private foundations have spent hardly a cent to judge the impact of this massive message. If a child really starts to watch the tube at four, that means that the child of fourteen will have seen a quarter of a million commercials -- a quarter million "scientifically" designed persuaders. Individual parents know something is happening, but they cannot pin it down.

As we look further, we find that industry has been carefully recording children's reactions to commercials. Motivational research houses, complete with one way mirrors, hidden microphones and psychological interrogation have been finding out a child's innermost thoughts about specific ads. This information is kept secret in agency files and sponsor desks. It is not shared with the public. It is not entered into the body of research information that child psychologists refer to as they seek to explain why our younger generation is changing its attitudes toward families, parents, homes and the very private enterprise system.

Thus, when witnesses come before you claiming that TV is evil or TV is great, your instant reaction should be, "How do they know?" And your second reaction should be to ascertain how much this Commission knows. When this issue first arose in the 1960's the FCC should have written publicly to the National Institute of Mental Health, the National Institutes of Health, the National Science Foundation, the Office of Child Development, and every major private foundation and major university interested in children, asking them

to provide all available evidence of the effects of television commercials on children.

Noting the Chairman's admission last October 2nd that children's television "has...not been really studied by this agency at least", I have been telephoning the FCC for a week trying to find out if the FCC has done anything to stimulate this type of research, since children's television has been under consideration by the Commission. The longer I look for positive FCC action in stimulating such research, the more I confirm that the FCC knows very little about children.

We cannot now wait another three years for the FCC to learn about the subject at hand. I do recommend that the Chairman write to the officers in charge of the governmental and private entities familiar with children's learning processes, and invite them to enter into or fund studies which will inform all of us -- regulators, broadcasters and critics -- of the real impact of television on children.

It may interest you to know that Federal Trade Commission Chairman Miles Kirkpatrick, concerned over the \$400 million plus spent each year in selling to children, is exploring who knows what about the subject.

If the FCC wishes to change today's television for children, it must lead the country's research institutions into short and long term unbiased research in this field. This is area number one for improvement.

CONGRESSIONAL OVERSIGHT

Today, evidence of advertising impact is held primarily in secret by the country's biggest sponsoring companies and agencies. Congress has every right to ask both the FCC and the psychiatric profession why it is so ignorant in these matters. If sponsors and agencies, holding most of the presently available data, will not work to make the deliberations of the FCC and FTC more factual and meaningful, then Congress has every right to call for legislation to bring out of company secret files the data which reveals who is being influenced by which of the industry's techniques.

COMMERCIALS AND CHILDREN

There are some areas of advertising to children where common sense calls upon the FCC to act now if it wants to change today's television for children. Area number two is hazardous products.

ACT has suggested all Saturday and Sunday morning ads be removed. We and they think clustering ads at other times would help the child. But this does not clothe the child under twelve with the wisdom to perceive advertising as it exists in a private enterprise society. The preoccupation of the ACT petition with Saturday and Sunday mornings masks the fact that many television shows which attract the biggest under twelve audience appear in the early evenings.

This past fall, over five million youngsters watched each of the following shows each week:

The Partridge Family	Emergency
The Brady Bunch	Adam 12
The Wonderful World of Disney	Bridget Loves Bernie
All in the Family	The Waltons
Room 222	The Mary Tyler Moore Show

It may interest you to know that among the products advertised on these shows, the following products appeared:

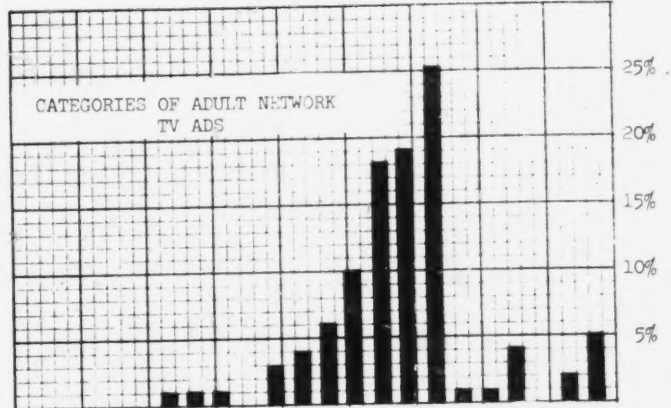
*Geritol Tablets	*Arrid Extra Dry
*Anacin	*Alka Seltzer
*Dristan	*Bayer Aspirin
Cheer Super Detergent	Hi-C Fruit Drinks
Neo-Synephrine Nose Drops	Tang
New-Synephrine Nose Spray	*Gillette Soft & Dry
*Lysol Deodorizing Cleaners	*Foot Guard Foot Spray
*Mennen E Deoderant	Pam Coating Spray
Tums	Yardley Lip Gloss

I point these products out to you to dispell the notion that kids are protected by today's broadcasters and the N.A.B. Of the above list, the starred items carry on the labels of the bottles or packages a warning to the effect that they should be kept away from children! Exhibit A, attached to this testimony gives visual evidence of the warnings. There is no warning as we sell these products to children; knowing familiarity breeds contempt, we have not had the common sense to include the warning in the advertisement when over 5 million children under twelve can see the product sold each week. The prime responsibility rests on the FCC; surely the FCC using the cooperation and support of the FDA and FTC, can act today, if it wants to change today's television for children.

Area number three is the FCC's similar responsibility to act in en masse, or generic, advertising situations. Broadcasters have become the confluence of varied advertising practices -- and in this confluence, an unbalanced commercial situation emerges. The case in point is advertising on cartoon programs. The spectrum of products advertised during these periods is very limited.

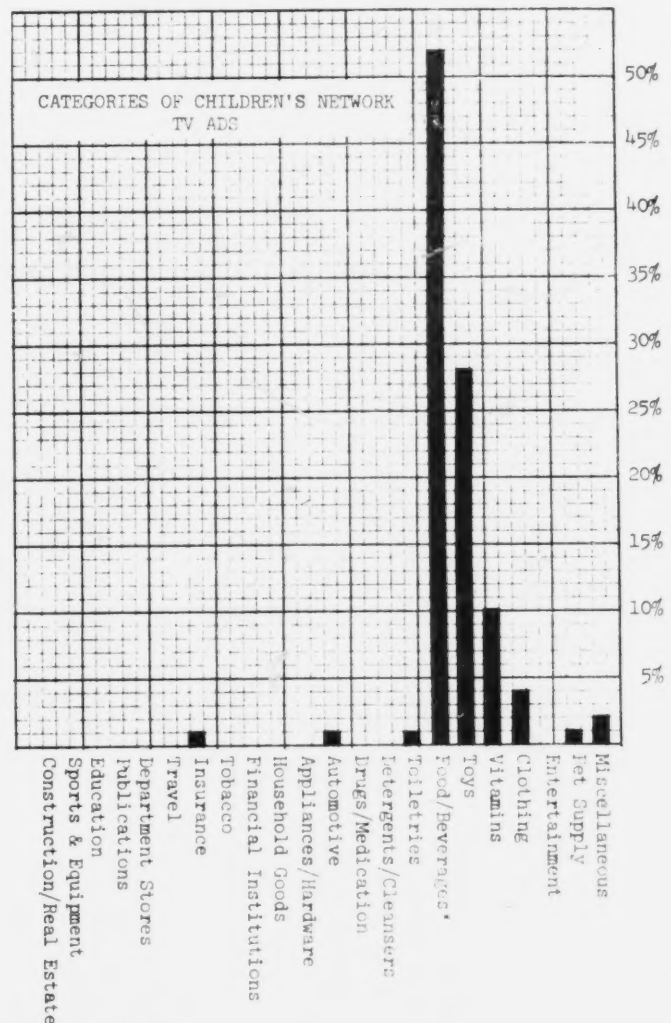
Percent
of ads:

The table at right indicates that on network television during the week ending April 11, 1971, on programs directed at adults and general family audiences, 25% of all the ads were for foods and beverages. The other 75% of the ads were spread over several categories of products, with toilet items, detergents, cleansers and medications predominating.



During the same week, the ads on programs directed specifically at children were much more limited. The chart at right shows that over 50% of the ads on children's programs that week were for foods and beverages, and another 28% were for toys.

Also note that 10% of all ads on children's programs were for vitamins, as opposed to less than 1% for vitamins on adult and family programs.



Data is from Broadcast Advertisers' Reports, Network TV, Week Ending April 11, 1971.

* Food and beverages includes drive-in restaurants.

Repetition is common. The food industry is particularly visible.

The moderate TV watching child of today sees over 5,000 food ads per year, 80,000 by the time that child is 16 years old. The foods sold to children are not the meats, fruits, vegetables or dairy products we all respect. The contrived and processed foods, some with, but many without nutritional merit, dominate the air-waves. In most advertisements of foods to children, nutritional ABCs generally are displaced by emphasis on sweetness, color and shape. (I do not consider mention of fortification a nutritional ABC.)^{1/}

The en masse message to children inevitably deprecates natural staples such as fruits, vegetables, or meat and legume protein sources. The avoidance of such mention leaves a child with a pre-occupation for processed foods.^{2/} Some advertisements go out of their way to ridicule nutritional awareness. (Exhibit B)

Since at certain times of the year food product advertising may constitute 82%^{*} of the sales message to the Saturday and Sunday watching crowd, a child's nutritional wisdom and the relationship of good eating habits to health must be considered.

I do not really expect food to disappear off children's air-waves, but I do think we have a right to expect some balancing nutritional messages on children's time mixed in regularly with the

* On Saturday morning, January 6, 1973, 96% of CBS commercials were for edible products.

1. See Robert B. Choate presentation to the NAB, May 26, 1971.
2. See Joan Gussow testimony before Senate Commerce Committee, Subcommittee on Consumer Affairs, March 2, 1972.

mass of food commercials. Since the sponsors have not maliciously designed the 82% edible mix, (but seem to delegate nutritional education to buyers of dog food), it falls to the broadcaster, the man at the confluence of these messages, to bring balance to his broadcasting. It is unfair to the child, and unfair to the parent trying to inculcate nutritional wisdom, for television to spend so much time telling a child the other side of the coin. If the FCC wants to change today's television for children, it can require broadcasters to weigh the en masse commercial message to children for its omissions and mis-emphasis, and to air corrective messages to keep the child on a prudent path.

F.C.C.'s OWN KNOWLEDGE OF CHILDREN'S TELEVISION

Area number four concerns itself with the paucity of information available both to the FCC and to the public as to what constitutes children's television.

Your past station renewal forms seem not to ask one single question about children's television. There are no questions which single out for special scrutiny the policies of the broadcasters during those hours when the under twelve group can be expected to watch the most. You do not ask what Public Service Announcements are aired in those hours. You do not ask how many and which promotions are run. You do not even ask how many hours of programming are run for the under twelve group, or when they are

run, or what age group they serve.

You do ask stations to justify at renewal time why they exceed the promises made in the last renewal application. Since none of the questions are related to children, it would appear the FCC was disinterested in the frequency of commercials at renewal time. There are wild swings in the number of commercials aimed at children.^{1/}

I suggest that the whole process of judging once every three years how a station performed on the basis of seven composite days taken out of 1,100 days is a shallow and belated effort to judge a station's commitment to service to the public.

I understand the renewal process is being redesigned. If the FCC wants to change today's television for children it can make station logs available the year around, require detailed explanations of the station's programming and advertising policy toward children, require self-documentation within 60 days of any policy violations or changes, require detailed descriptions of the PSAs aired as well as the promos, and ask for promises of discussion of television-the-children's-medium on prime time. The FCC can even declare a children's prime time. It can ask questions relating to tie-ins and local issues. In short, the FCC can improve its own, and the public's knowledge of what a station has aimed at the under 12 audience. Only when this material becomes available will parents be knowledgeable enough to exercise the local parental authority that your broadcasters seem

1. Between December 9 and December 23, 1972, because toy commercials withdrew, the number of PSAs used as "fillers" on Saturday mornings jumped 100% on the three networks.

to wish would take the monkey off their back.

FCC AND PSAs AND PROMOS

While we are talking about PSAs, I wonder why the FCC shows so little interest in them. Why does a national censor like the Advertising Council seem to have a grip on national PSAs? (Stations often use this as a justification for rejecting non-Ad Council ads.) We reject the present policy of dumping PSAs into children's programming when a void appears. PSAs for adults should be aimed at adults. PSAs for children should be aimed at them.* If a void appears in commercialland, the children should be permitted to benefit from the drop. PSAs of a local nature also deserve more attention, but I doubt that the FCC knows station policy on national versus local PSAs.

Promotions are still another area for FCC attention. Promos make up much of the clutter on television, particularly children's television. A promo is an invitation to keep watching, or to be in front of the set at a later date. Promos are broadcaster influences on the child not to heed his parent's admonition to turn the set off. Promos are also the extra dividend for a heavy sponsor. They are the continuity commercial for a station afraid to lose even the under 12 audience. Promos, interestingly, seem carefully screened for the age group they seek to recruit. I suggest Area No. 5 is an FCC policy on PSAs and promos, particularly to children.

* On January 6, 1973, CBS promos and PSAs seemed child oriented; most of NBC's were not.

We interject here a comment on the appropriateness of certain Public Service Announcements. They are usually produced at considerable expense by non-profit organizations or agencies sponsoring a message of public importance. They are developed with an audience in mind. They are sent to stations with a request that they be aired. The station can accept or reject them; it need not notify the sponsor as to the time or frequency of airing. One would hope they were handled in a responsible manner to serve society.

Instead, we find that PSAs frequently are handled as a filler item to be dumped in anywhere there is a commercial lag. Stations know they have to run a certain number. The count is more important than the placement.

ABC and NBC provided an interesting example of this on Saturday, January 6, 1973. The myriad toy manufacturers had pulled back their Christmas ads. Rather than fill the time with informational or educational materials, ABC and NBC decided to dump PSAs into the void, irregardless of the appropriateness of the message. Thus we saw on ABC that children were being advised that the Council on Special Education said you can be a teacher of the handicapped; that the Social Security Office offered protection for a child's future; that the National Alliance of Business Men wanted to get all men working; that people should give to the United Negro College Fund; that drug laws overseas were tough; that ACTION needed volunteers; and that the TB Association advised one not to smoke.

NBC advised children Saturday morning that religion keeps marriages going; that the Army wants young men in ROTC; that the March of Dimes needs volunteers; that dogs and cats should be spayed; that parents should keep children exercising; that religion in America was good; that Savings bonds were good; and that seat belts were for safety.

While several other public service announcements with relevance for children were interspersed among these messages (CBS having the most relevant), one can gather that PSAs are dumped wherever a void appears, and children's programs are a natural dumping spot.

F.C.C. AND THE LOCAL PARENT

Let us look at the role of the parent to whom your earlier panelists gave so much responsibility. Conservatives frequently state that local control is better than federal control. In the matter of communication and the airwaves, the courts and Congress have restricted the regulation of the airwaves to the Federal establishment. The public thus is left with no alternative to dealing with you. You have no counterpart in Tucson, Chicago or Nashville. Critics of children's television thus become frustrated when you to whom the power of decision has been given will not act. Congress and the courts have deprived us of local influence; you have deprived us of a national decision.

The irate parent in Tucson, who wants to correct the broadcast material at the source, can only go to the perpetrator, or to you. The local broadcaster will frequently cite the networks or the NAB as a reason why local broadcast materials should not be changed. He shunts the critic off his back while keeping him in the dark as to his rights and responsibilities. He sends the parent to a nebulous executive in New York who hardly represents local control. It is time for the FCC to make some programming, commercial, and balanced presentation decisions, for local as well as national reasons. Your lack of decisions on children's television is, in effect, a decision to maintain the status quo. You have given the broadcasters and the networks two years to clean their own shop, Mr. Chairman. They have let you down. If the broadcasters believed in the parent as the ultimate responsible restricter of television, he would have shown it.

I have never seen a local station broadcast a message telling the viewer that the station logs are available for inspection. I have never seen a station advise parents to meet with the station managers to improve children's television. While many stations carry the Public Service Announcement, "It's _____ o'clock. Do you know where your children are?", I have never heard a station ask parents, "Do you know what your child watched on TV today?"

It is time this nation recognized that television has become an extra parent within the home. The weaker the family structure, the more important "Uncle Television" becomes. He offers candy and cake, music and laughter; he sings and dances, has animals and child actors. Uncle Television can be turned from one subject to another with the flip of the dial; he seldom lectures and never punishes. Uncle Television is an ever present companion, so the other parents find it handy to be elsewhere, or wrapped up in other things.

If Uncle Television told children and their parents that these hearings were going on, parents would be stimulated to find out more about the responsibilities that broadcasters have assigned them. If broadcasters staged programs where kids and parents could discuss what television means in their lives, parents would awaken to the responsibility they have abdicated to the set. Do networks do this? Do stations? During your last three day hearings, your panelists discussed with occasional merit the characteristics of the 26 year old television industry. Not one network carried one word of the subject of these hearings

on their major news programs. "Silence is Golden" is more than the name of a new cough syrup; it is the pervading censorship policy of the broadcasters to keep children's television out of public debate.

THE FCC AND PARENT-CHILD CONFLICT

The repetitive advocacy to children that they "stay tuned" or "remember to tune in" is but one manifestation of a broadcaster inviting tensions and dissent in the home. This unstudied area of television is also pertinent in the heavy promotion of toys to the child of poverty; both the child and the parent may end up frustrated by their inability to respond.

Topics such as this cannot be dealt with by individual psychiatrists. The audience is too large. It is a whole class of people who are affected. To resolve feelings of incompetence, inferiority or inability to manage one's children in television matters, a public discussion is in order. It is a matter of critical public importance similar to taxes, schooling, or war. One would think that broadcasters would realize that if we are to have television as a positive force in our lives, television the medium needs living room discussions. Television could put it there; television could help children put it there. Does it? No! The heavy hand of censorship lies everywhere in the electronic media. Examples abound of where stations and networks have evaded, ducked or hidden issues of importance to the viewer/consumer audience. The very deliberations of this Commission should be a matter of public knowledge. If children's television has elicited the mass of comment that Chairman Burch and ACT have referred to, certainly the public is entitled to know the issues, the suggested solutions, and the role parents can play in improving television for

their child.

Area No. 6 for FCC attention is an FCC rule opening the airwaves to public discussion of the airwaves, particularly that affecting children.

Perhaps the FCC can go further. If parental cognizance of the "other parent" role television frequently now plays would be healthy, I suggest "parental promos" on public service time asking parents to monitor what their children see and feel as a result of TV.

FCC AND A CHILD'S ADVERTISING EDUCATION

Area No. 7 for immediate FCC attention is the obvious unfairness of a sponsor using \$50,000 to hire scriptwriters, editors, musicians, photographers, psychological analysers, sound effects experts, paid laughers, and other children to create a message of supreme sophistication to persuade a child to buy an item or become a salesman within his own home.

The four, five and six year old cannot read disclaimers. He probably grants credibility to every commercial phrase. Even the older child, while skeptical, continues to urge his mother to buy.^{1/}

If we recognize that children will see commercials, let us prepare them so the tug of war for their compliance is done on a fairer plane. Let us educate children about advertising.

For the youngest watchers, let us flag ads so the child knows the message has changed. By audio or video techniques, we can set the ad apart from the program. A "frame", much like a picture frame, if labelled "advertisement," would quickly cue a child

1. See Effects of Television Advertising on Children and Adolescents, by Professor Scott Ward, Harvard Business School, June, 1971.

to the fact that he was watching a commercial message.

For the child of seven or above, we recommend a program which tells children about advertising. I do not mean a puff type program that speaks only of sweetness and light; I mean a program that draws upon the insights of advertising such as those expressed in Bauer's Advertising in America-The Consumer View; Mayer's About Television; Buxton's Promise Them Anything; Stevens' I Can Sell You Anything; Scott Ward's NIMH report; Wilbur Schramm's Television In the Lives Of Our Children; and Morris' Television's Child.

If the FCC wishes to change today's television for children, it can facilitate the airing of a joint advertiser-consumer education program in short PSA segments for those hours of the week when the under 12 group watch TV the most. This perhaps would be the ultimate compensatory commercial, for it would educate the child to become a prudent consumer before he became a burned skeptic. The responsible sponsor would gain credibility. The responsible broadcaster would experience less guilt. The responsible parent would gain an ally. The child might gain respect for our commercial system.

SUMMARY

I have suggested to you that while you consider banning commercials Saturday mornings, the FCC can act tomorrow on a number of fronts to improve programs while diminishing the commercial onslaught to children. Let me repeat them as I close.

The FCC can:

- A. Form a Children's Television Broadcast Center for jointly sponsored and simultaneously aired shows.
- B. Establish a Children Television Code which puts the public in charge of what their children are to see.

and

- 1. Stimulate research into children's reactions to television commercials.
- 2. Ban or Require Warnings on hazardous substances advertised to Children.
- 3. Define station responsibilities on en masse commercial distortions.
- 4. Correct FCC and parental ignorance of present broadcast patterns.
- 5. Define more tightly correct broadcaster policies on PSAs and promos.
- 6. Stimulate electronic media discussion of the electronic media.
- 7. Facilitate an advertiser/consumer education program on the air to help children become prudent consumers.

We hope for your consideration of these matters within the next two months. Thank you for your time.

January 9, 1973
Robert B. Choate, Chairman
Council on Children, Media and Merchandising

EXHIBIT A

CHILD WARNINGS ON PRODUCTS ADVERTISED ON PROGRAMS WITH OVER
FIVE MILLION VIEWERS UNDER TWELVE:

GERITOL TABLETS: "Warning: Keep this and all medicines out of the reach of children."

ANACIN: "Warning: Keep this and all medicines out of children's reach. In case of accidental overdose, contact a physician immediately." Also has a protective cap.

DRISTAN: "Keep all medicines out of the reach of children...For children under 6, consult a physician."

LYSOL SPRAY DISINFECTANT: "Caution: keep out of reach of children... Caution - flammable mixture. Do not use near fire or flame... Do not puncture...Avoid contact with food. Keep spray away from eyes..."

MENNEN E DEODORANT: "Keep out of children's reach... Caution: Use only as directed. Intentional misuse by deliberately inhaling aerosol contents can be harmful or fatal...Keep product away from eyes..."

ARRID EXTRA DRY: "Keep out of reach of children...Never spray toward face or open flame..."

ALKA-SELTZER: "Children: 1/2 the adult dose. Caution: For children under 3, consult your physician."

BAYER ASPIRIN: "Warning: Keep this and all medicines out of children's reach. In case of accidental overdose, contact a physician immediately...Important directions inside, including children's dosage. Caution: for children under 3 years of age, consult your physician." Also has "Child Guard" cap.

GILLETTE SOFT AND DRY: "Keep out of reach of children...Never spray toward face or open flame...Intentional misuse by deliberately concentrating and inhaling the contents can be harmful or fatal..."

FOOT GUARD FOOT SPRAY: "Keep out of reach of children."

EXHIBIT B

PRODUCT: SEALTEST ICE CREAM
PROGRAM: STATION BREAK
WCBS-TV

5/24/71
(NEW YORK)

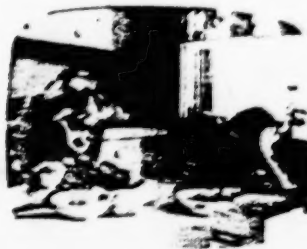
712940
30 SEC.
4:29PM



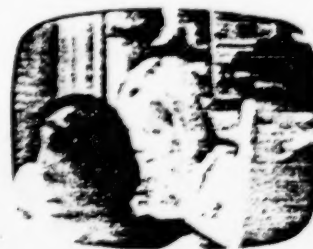
1. BOY: I don't like food that's good for you.



2. GIRL: Well, you like Sealtest Ice Cream.



3. BOY: Sealtest doesn't taste like it's good for you.



4. GIRL: But mommy says ice cream's got calcium and protein.



5. BOY: No, it doesn't, it's got chocolate.



6. GIRL: Oh, silly. Ice cream's flavored milk and cream.



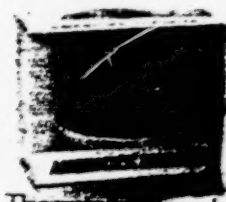
7. BOY: You mean it's good for me?



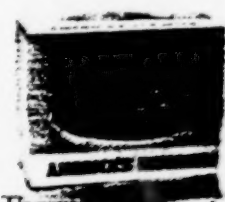
8. GIRL: Uh huh. It's good for your teeth and bones.



9. BOY: Maybe I shouldn't eat it.
GIRL: But you love Sealtest Ice Cream.



10. BOY: Yeah, but I gotta think about this.



11. ANNCR: Sealtest Ice Cream, it doesn't taste like it's good for you.

RADIO T.V. REPORTS, INC.

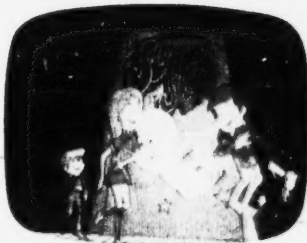
PRODUCT: SUPER SUGAR CHEX
PROGRAM: DR. DOLITTLE
WNBC-TV

3/25/72
(NEW YORK)

721783
30 SEC.
8:26 AM



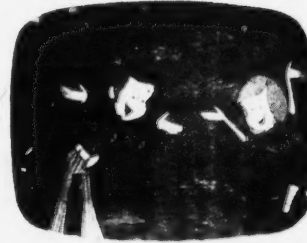
1. CASPER: Introducing Super Sugar Chex, good for you



2. because... CHORUS SINGS: We don't care whatever it's got.



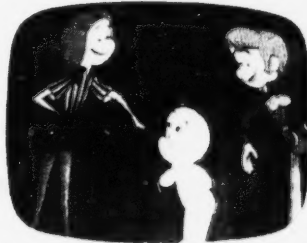
3. Whatever it's got we love it.



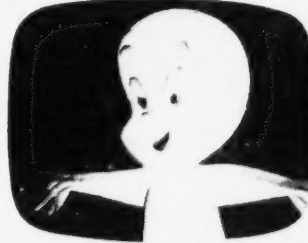
4. CASPER: But they've got to know what Super Sugar Chex has got.
CHORUS SINGS: We don't care



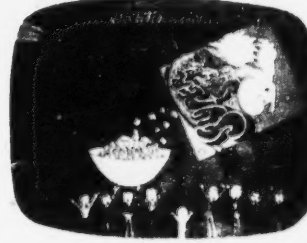
5. whatever it's got. Because whatever it's got we love it.



6. CASPER: But I've got to tell them.
CHILDREN SAY: Okay Casper, now tell them what it's got.



7. CASPER: Super Sugar Chex are boosted with vitamins.



8. CHORUS SINGS: Super Sugar Chex have got what we love.